



Express Mail Mailing Label No. EL954732913US

PATENT
Atty. Docket No. BSC-187 (1002/257)

5-21

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rioux et al.
SERIAL NUMBER: 09/935,487 GROUP NUMBER: 3738
FILING DATE: August 23, 2001 EXAMINER: Pellegrino, B.
TITLE: MAINTAINING AN OPEN PASSAGEWAY THROUGH A BODY
LUMEN

Commissioner for Patents
Washington, D.C. 20231

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APR 16 2003
TECHNOLOGY CENTER R3700

RESPONSE TO RESTRICTION REQUIREMENT

This paper is responsive to the Office action mailed from the Patent Office on February 27, 2003. The shortened statutory period for response expires on March 27, 2003.

The Office action indicates that election of one of the following inventions is required: claims 1-8 (Group I), drawn to a stent with a polymer coating, classified in class 623, subclass 1.46; and claims 9-16 (Group II), drawn to a method attaching a stent to a delivery system and an implanting method using a delivery system with the stent, classified in class 606, subclass, 108. Although Applicants disagree with the claim restrictions, to move prosecution forward, Applicants hereby elect the claims of Group I, namely claims 1-8. Applicants reserve the right to pursue the claims of Group II in due course.

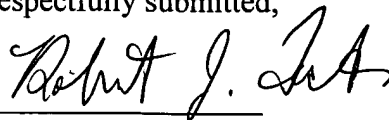
Applicants respectfully request that the application now proceed promptly to examination. Applicants believe that no additional fees are necessitated by the present Response. However, in the event that any additional fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 20-0531.

Dated: March 24, 2003
Registration No. 35,393

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Respectfully submitted,



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03-25-03

Gp/3738

EXPRESS MAIL MAILING LABEL NO. EL954732913US

TRANSMITTAL
FORM

Application Serial Number	09/935,487
Filing Date	August 23, 2001
First Named Inventor	Rioux
Group Art Unit	3738
Examiner Name	Pellegrino, B.
Attorney Docket No.	BSC-187

ENCLOSURES (check all that apply)

- | | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee Transmittal Form

<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> Preliminary
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets: <u> </u>]

<input type="checkbox"/> Petition for Extension of Time

<input type="checkbox"/> Supplemental Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of SIDS Citations A84-A113, B6-B7, and C2.

<input type="checkbox"/> Certified Copy of Priority Document(s)

<input type="checkbox"/> Sequence Listing submission
<input type="checkbox"/> Paper Copy/CD
<input type="checkbox"/> Computer Readable Copy
<input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)

<input type="checkbox"/> Formal Drawings

<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal

<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)

<input type="checkbox"/> Terminal Disclaimer

<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application

<input type="checkbox"/> Small Entity Statement

<input type="checkbox"/> CD(s) for large table or computer program

<input type="checkbox"/> Amendment After Allowance

<input type="checkbox"/> Request for Certificate of Correction
<input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences

<input type="checkbox"/> Appeal Brief (in triplicate)

<input type="checkbox"/> Status Inquiry

<input checked="" type="checkbox"/> Return Receipt Postcard

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Response to Restriction Requirement

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